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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,992	09/16/2005	Bert Groenendaal	234920	2167

23460 7590 12/07/2006

LEYDIG VOIT & MAYER, LTD
TWO PRUDENTIAL PLAZA, SUITE 4900
180 NORTH STETSON AVENUE
CHICAGO, IL 60601-6731

EXAMINER

ZIMMERMAN, JOSHUA D

ART UNIT PAPER NUMBER

2854

DATE MAILED: 12/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/530,992

Applicant(s)

GROENENDAAL ET AL.

Examiner

Joshua D. Zimmerman

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-52 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

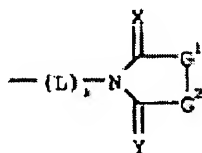
Election/Restrictions

1. This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

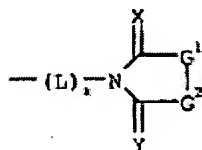
The species are as follows:

A polymer, or heat-sensitive lithographic printing plate precursor comprising said polymer, wherein the polymer contains a group Q, wherein said group Q is listed below.

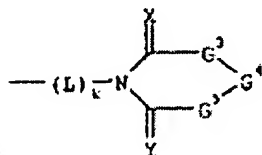
Species Ap, positive working:



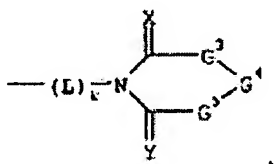
Species An, negative working:



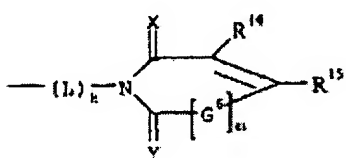
Species Bp, positive working:



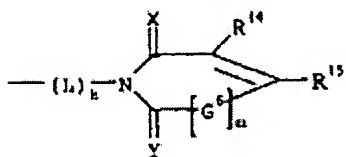
Species Bn, negative working:



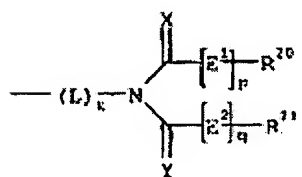
Species Cp, positive working:



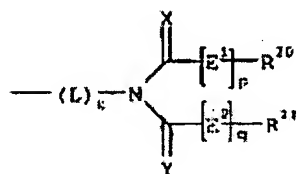
Species Cn, negative working:



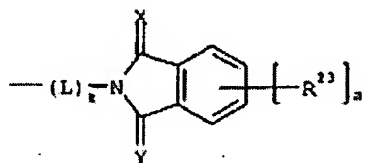
Species Dp, positive working:



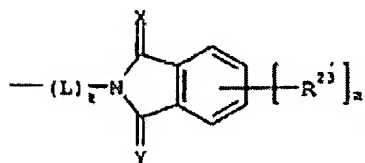
Species Dn, negative working:



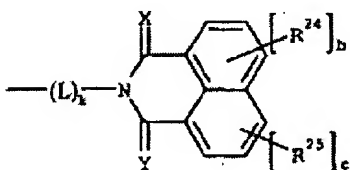
Species E1p, positive working:



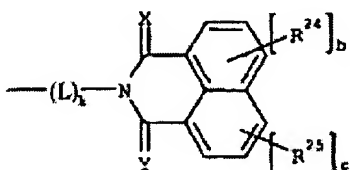
Species E1n, negative working:



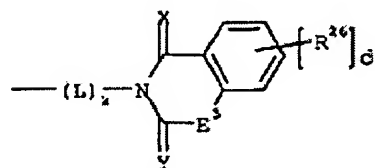
Species E2p, positive working:



Species E2n, negative working:

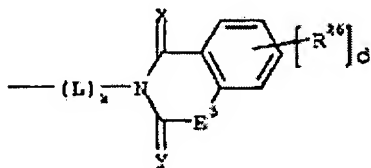


Species E3p, positive working:

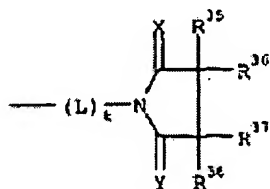


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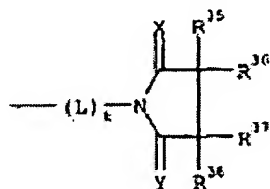
Species E3n, negative working:



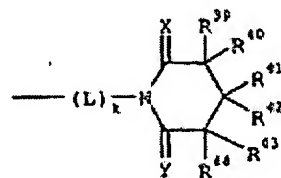
Species F1p, positive working:



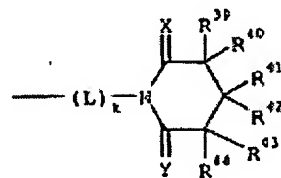
Species F1n, negative working:



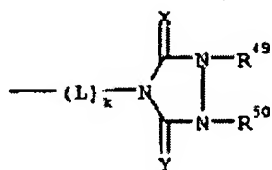
Species F2p, positive working:



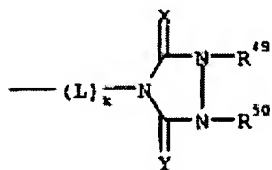
Species F2n, negative working:



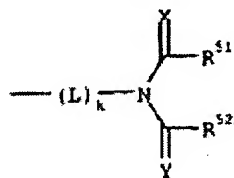
Species G1p, positive working:



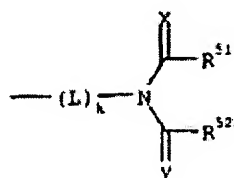
Species G1n, negative working:



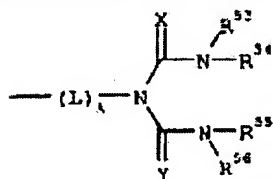
Species G2p, positive working:



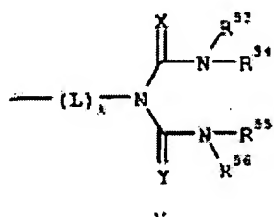
Species G2n, negative working:



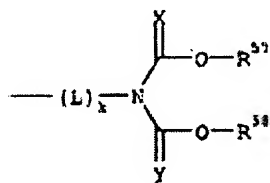
Species G3p, positive working:



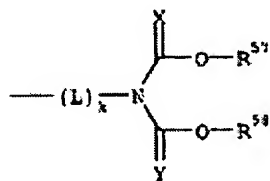
Species G3n, negative working:



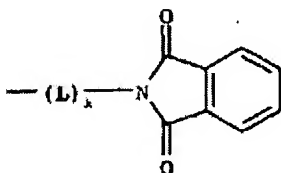
Species G4p, positive working:



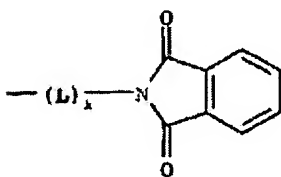
Species G4n, negative working:



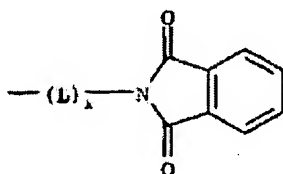
Species H1p, positive working:



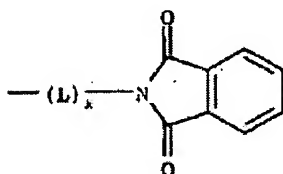
Species H1n, negative working:



Species H2p, positive working:



Species H2n, negative working:



Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

2. The claims are deemed to correspond to the species listed above in the following manner:

Species Ap:	Claims 1, 2, 3, 11, 12, 13, 14, 18, 26, 27, 35 and 36
Species An:	Claims 1, 2, 3, 11, 12, 16, 18, 26, 27, 44 and 45

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Species Bp:	Claims 1, 2, 4, 11, 12, 13, 14, 19, 26, 28, 35 and 37
Species Bn:	Claims 1, 2, 4, 11, 12, 16, 19, 26, 28, 44 and 46
Species Cp:	Claims 1, 2, 5, 11, 12, 13, 14, 20, 26, 29, 35 and 38
Species Cn:	Claims 1, 2, 5, 11, 12, 16, 20, 26, 27, 44 and 47
Species Dp:	Claims 1, 2, 6, 11, 12, 13, 14, 21, 26, 30, 35 and 39
Species Dn:	Claims 1, 2, 6, 11, 12, 16, 21, 26, 30, 44 and 48
Species E1p:	Claims 1, 2, 7, 11, 12, 13, 14, 22, 26, 31, 35 and 40
Species E1n:	Claims 1, 2, 7, 11, 12, 16, 22, 26, 31, 44 and 49
Species E2p:	Claims 1, 2, 7, 11, 12, 13, 14, 22, 26, 31, 35 and 40
Species E2n:	Claims 1, 2, 7, 11, 12, 16, 22, 26, 31, 44 and 49
Species E3p:	Claims 1, 2, 7, 11, 12, 13, 14, 22, 26, 31, 35 and 40
Species E3n:	Claims 1, 2, 7, 11, 12, 16, 22, 26, 31, 44 and 49
Species F1p:	Claims 1, 2, 8, 11, 12, 13, 14, 23, 26, 32, 35 and 41
Species F1n:	Claims 1, 2, 8, 11, 12, 16, 23, 26, 32, 44 and 50
Species F2p:	Claims 1, 2, 8, 11, 12, 13, 14, 23, 26, 32, 35 and 41
Species F2n:	Claims 1, 2, 8, 11, 12, 16, 23, 26, 32, 44 and 50
Species G1p:	Claims 1, 2, 9, 11, 12, 13, 14, 24, 26, 33, 35 and 42
Species G1n:	Claims 1, 2, 9, 11, 12, 16, 24, 26, 33, 44 and 51
Species G2p:	Claims 1, 2, 9, 11, 12, 13, 14, 24, 26, 33, 35 and 42
Species G2n:	Claims 1, 2, 9, 11, 12, 16, 24, 26, 33, 44 and 51
Species G3p:	Claims 1, 2, 9, 11, 12, 13, 14, 24, 26, 33, 35 and 42
Species G3n:	Claims 1, 2, 9, 11, 12, 16, 24, 26, 33, 44 and 51
Species G4p:	Claims 1, 2, 9, 11, 12, 13, 14, 24, 26, 33, 35 and 42
Species G4n:	Claims 1, 2, 9, 11, 12, 16, 24, 26, 33, 44 and 51
Species H1p:	Claims 1, 2, 10, 11, 12, 13, 14, 25, 26, 34, 35 and 43
Species H1n:	Claims 1, 2, 10, 11, 12, 16, 25, 26, 34, 44 and 52
Species H2p:	Claims 1, 2, 10, 11, 12, 13, 14, 25, 26, 34, 35 and 43
Species H2n:	Claims 1, 2, 10, 11, 12, 16, 25, 26, 34, 44 and 52

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: the group Q in each species has a different terminal/capping unit, and the compounds required for positive-working printing plates are different than those required for negative-working printing plates.

3. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D. Zimmerman whose telephone number is 571-

272-2749. The examiner can normally be reached on M-R 8:30A - 6:00P, Alternate Fridays 8:30A-5:00P.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Joshua D Zimmerman
Examiner
Art Unit 2854

jdz


JUDY NGUYEN
SUPERVISORY PATENT EXAMINER